HARRISON'S LECTURE

The Ex-President's First Address to California Students.

Interesting and Instructive Talk on the Constitution of the United States and Its Developments.

LOCAL SELF - GOVERNMENT

It Was Made Imperative by the Life Led by American Colonists.

Growth of the Country-Influence of Indian Wars-Hold of Religion on Free Men and Free States.

NEW YORK, March 8 .- The World prints the lecture delivered by ex-President Harrison before the students of Leland Stanford, jr., University, Menlo Park, Cal., on Tuesday afternoon, and repeated before the public yesterday. The university chapel was crowded when, shortly before 3 o'clock, President Jordan entered escorting General Harrison and Mrs. McKee. Dr. Jordan introduced the distinguished lecturer to the expectant students in the following brief words: "It is one of the things that this Republic has a right to be proud of, that a scene like this is possible; that one who has received the highest honors of the Republic is not ashamed of the further ambition to wish to be a great teacher."

General Harrison began the first of the series of six lectures he is to deliver at the university by a reference to the late Senator Stanford. Then he said:

The lectures which I contemplate will be rather popular than technical, especially those that deal with the Constitution of the United States and its developments. For a national Constitution we have what Mr. Gladstone declares to be the most wonderful work ever struck off at a given time by the brain and purpose of man, but if this were so, the work of the commentator would be useless. He would not need to go back. It is not the greatest of works struck off at a given time, but in one sense, at least, the development of the ripe fruit of experlence and of discovery. The harmony and judgment of powers, national and State, was more in view than anything else, either of original or constructive work. It was an organization which proceeded from progressive history. We could not wholly understand it without some knowledge of historical progression of the country at that time, but I can do no more than give you a very decided outline of those events which, beginning in England, resulted in the due course of time in the establishment of the colonies and States, and finally spread over to a great national government perfecting all the interests of a great people

It was an important means to promote intellectual American citizenship Our civil institutions are safe only when in the keeping of a generation that loves them, and every generation needs to be educated to love and revere its institutions. I wish to show you the body of the Constitution of the United States in the course of these lectures, and thereby make the love for our institutions deeper, finer and purer. I will not ask you to love everything that is American, but I will ask you to shun the example of those who love anything for no better reason than that it is not American. American history and geography have had a great revival in the last century. Every young American should eagerly avail himself of his opportunities not only to become acquainted with the greatest things, but with the small events of history. The study of English history and its constitution will add to your understanding of our colonial history and development and our national and State Constitution, but I will deal more thoroughly with that presently. THE ENGLISH CONSTITUTION.

The English Constitution is not like ours, a written instrument, containing formulated systems of fundamental laws and powers to govern for party benefits. The English Constitution was in its vider sense taken from established precedents. The rights of the people and recognition of the sovereign are very jealously guarded. It would be impossible for a constitution coming from statesmen in England to satisfy the demands of the English Constitution. We are witnessing just now an illustration of what I have said. Mr. Gladstone has resigned his position as Premier in the English field. Lord Rosebery has taken his place. There was no formal vote among the assembled hearers. He was simply chosen by the Queen, and he was chosen without any formal expression of a majority vote in the House of Commons. He holds his position subject to surrender whenever a majority fails to sustain any measure which he proposes.
It is quite impossible to organize an

American union without a written constitution. It has been said of England that she is "a land of old and just renown, where freedom broadens slowly down from precedent to precedent." The organization of a republic was a work of exigency. The colonial charters had familiarized their people with the idea of written contracts, and the unjust interference of England at times had taught them the value of strong limitations of public officers and their powers. Precedents had been denied; there was need of a book. A written constitution was inherent in the people and was absolutely necessary for any kind of union among the States. The transition from an unwritten to a written constitution was not very marked. Little change was involved. There were still judges, sheriffs and assemblies, but none of the people was bound to his Majesty, but to the freemen of the commonwealth.

The revolution was said to have its chief source in the foreign governing power of England. National union in the constitution was freely understood in one sense, but in another sense it was a product of coercion. The compelling hand of Providence made the condition of this existence. The Declaration of Independence and the national Constitution will forever go down in history. The Declaration of Independence regularly and fully proclaimed the just rights of the people. The English philosophy of freedom was to take the place of the philosophy of power. Our Constitution was a compromise. All the members of the convention were not wise-it was a product of the average in the convention. What was provided for and against was simply suggested by the experience of our own ancestry and by our own experiences during the colonial period. THE UNION OF THE COLONIES.

The suggestion for the union of the colonies is much older than the Constitution. The study of these experiences and of the colonial charters of the first State constitution will greatly add to the understanding of the national Constitution, which was evolved from them. The people of the United States were a nation before they knew it. The American antedates Concord and Lexington. Neither Canada, Florida Louisiana was then fitted for partnership in the American federation. The people of those localities spoke a different tongue; and no Magna Charta in their history, and had not been exercised in loval government or religious freedom. In the colonies that became American States the English language was the language of the people, and the non-English mixturethe Scotch, Dutch and Huguenot-was of adaptable stock, and had, before the revolution, been pretty thoroughly assimilated. All these were men who had been in the habit of thinking for themselves and who valued in themselves two essential traits of a republican citizenship. Not parallels of latitude or longitude, not | son in our civil development, he enforced the channels of commerce, not bays or under frightful penalties. Every man a

lakes, or rivers, or mountain passes deter-mined the area and configuration of the new nation. The lines were run to include Anglo-Saxon freemen and their allies from France and Holland and other lands, who had felt the hard hand of oppression, re-ceived the new gospel of liberty, and now waited in faith for the institution of the free state in which religion would be a matter of conscience and not of legal decree, and the value of a man no longer a matter of ante-natal assignment. Homogeneity is the essential of a true common-wealth. A common language, common hopes and purposes and interests are its progenitors. I do not mean that all hopes and purposes and interests, great and small, must run in parallels. If that were the condition the state would be small and its people few. A safe and enduring state exists when the large, dominating hopes, purposes and interests of its people are common. The struggle between the small local interests of the colonies and the large and enduring benefits of a union was fierce and long, and to human thought doubtful. Some caught the glory of the coming day and its light made them blind to all small things. For the majority there was the inexorable alternate, a union with national powers or the speedy resumption of a foreign domination made more cruel by resistance.

INFLUENCES IN AMERICANS. Some of the influences that made the American citizen should have our attention, and first I remark that if a free government is to have stability and endurance its citizens must give their love and alleglance to institutions, to principles, to constitutions, rather than to leaders. And herein is very largely the expianation of the stability of the American Union, its comparative exemption from domestic insurrections, and its absolute immunity from successful revolutions.

Our Spanish-American neighbors on the south are lovers of liberty. They are brave and spirited, but they have not learned to value civil institutions. They follow a cockade rather than a constitution; and the sad result is that revolution follows revolution, and their great resources lie unde-veloped. Not so the Anglo-Saxon; for here men may come and men may go, but they cannot break the fast hold of the citizen on the established civil statutes. He follows a man only when the man stands for a cause; and loyally abides the judgment of appointed tribunals. All of the conditions that surrounded the American colonists tended to strengthen this inherited characteristic. They fled from oppressive laws. They came not to crown another king, but to build up institutions. Their religion tended to creeds and their politics to codes, and a sturdy democracy characterized them.

Mr. Grote attributes to the Greeks that love for a constitution rather than a ruler, which is characteristic of the American. He says: "But in the mind of every man some determining rule of system, something like what in modern times is called a constitution, was indispensable to any government entitled to be called legitimate or capable of creating in the mind of a Greek a feeling of moral obligation to obey it. The functionaries who exercised authority under it might be more or less competent or popular, but his personal feelings toward them were commonly lost in his attachment or aversion to the general system." (Bagehot's Eng. Const., 163.)

Joseph Warren, in his Boston oration, in March, 1772, says: "So long as this noble attachment to a constitution founded on free and benevolent principles exists in full vigor in any State that State must be flourishing and happy.

The religious faith and practices of the people also exercised a strong influence in developing the American love of institutions and in freeing men from subserviency to leaders. The pastor was given great deference, even reverence, but only as the expounder of the Written Word. The word and the church were before him and would be after him, and only to them was allegiance given. In the New England colonies this influence was dominant. Christ individualized men and endowed them. He introduced a new standard of valuation. That every man is possessed of an immortal spirit of equal value in the sight of God is a leveling dectrine, as well as an clevating one. Caesar was to have the things that are Caesar's; but the limitations were very strict. There were things that could not be rendered to Caesar. The humblest of the king's subjects was a brother, to be loved for himself; a king was a servant. The State bore the sword for the defense of innocence. The ruler must bow to the great king. So the divine right of kings became the divine obligation of

FREEDOM FROM GOD.

The man for whom the son of God died upon the cross, for whom the material universe had been builded, fitted and adorned, must not be enslaved and degraded. Not Plato, nor Buchanan, nor Lecke, but the word, read with reverence, daily in the household and expounded in the sanctuary, was the chief instructor of the body of the colonists in the theories of populate rights. Iconoclasts, but of a discriminating sort-men who did not destroy for the mere pleasure of destroying, but to make room for better things. Independency of thought is the first requisite of the responsible citizen. Individual independence necessarily exceeded community independence. The free man came before the free state, and the free state will not survive him. Religion has a mighty hold on them; those men who wrought out our freedom and molded our civil institutions, as the public feasts, thanksgivings, prayers in Congress and the legislatures, and the reverent appeals and strict injunctions to religious duty that abound in the military orders and in the correspondence of Washington very fully show. There had been bigotry, narrowness, even cruelty, in the colonial churches. It was hard to unlearn the old lessons, but the idea of the nobility and freedom of the idividual was there, and charity was fast widening this thought to include the other man. The man's estimate of himself and of his rights was clear and strong. Mr. Frothingham says: "This people-

a new race, molding their institutions under Christian influences-were fixed in the traits that characterize Americans. Without the infection of wild political or social theories, they were animated by a love of liberty and a spirit of personal independence unknown to the great body of the people of Europe. While at the same time recognizing the law which united the individual to the family and to the society in which he is appointed to live, to the municipality and the commonwealth which gave him protection, and to a great Nation which met and satisfied the natural sentiment of country." (Frothingham, 404.) Like the ploneer miners in your California gulches, the colonists organized communities and made laws adapted to the local needs.

No Cortez or Pizarro led our colonists in plundering crusades, or organized their defense against savage neighbors. They were not gold seekers, but home seekers. They came in families and were thoughtful of posterity. They sought country-a better country than that from which they had come out-a country not only to live and die in, but to live and die for. The Puritan home life was austere, but those homes produced men and women whom no threat or danger could move from their convictions nor any master enslave. England threw her colonists much upon themselves, and the savage effectively co-operated in developing them into strong, self-reliant men. Both were cruel teachers, but the product was that high type of American manhood that finally overcame both. The men and women who came to these distant and dangerous shores were individualized by the very act of coming, and every inci-dent of pioneer life had the same tendency. The savage foe introduced a new human valuation that took no account of titles or ancestry, but only of achievement-the

leader was the man in front. The Indian wars exercised the colonies n arms, introduced into every cabin an effective weapon, in the use of which even boys became skillful. During the French and Indian war the colonies furnished 25,the hunter was free, for there were no game preserves or gamekeepers in the American forests. The frontier has now disappeared, and the loss of it is a calamity. It meant cheap or free lands for the landless, adventure for the restless, a new chance in life for the beaten, a school for the development of a free, unconventional American manhood and womanhood, the exercise in government and public affairs of our ambitious young men, the healthy distribution of population, the preservation of the revolutionary type of men, for the men of 1776 were frontiersmen.

INFLUENCE OF THE INDIAN. The Indian also mightily stimulated the community idea. Organization, the next les-

neighbor, and every man his neighbor's keeper, was the condition of existence in the feeble and exposed settlements. The town meeting for consultation and the village blockhouse for defense and safety were the kindergartens of the Republic. In the town meetings the man who had something to say was heard without waiting for his "betters," though he were only cobbler or a truant boy who had seen the footprints on the moss in the adjacent woods. Life and living were reduced to their simplest elements; and in the northern colonies the long, severe winters and the ungenerous soil condi-tioned both upon industry and economy that was near to parsimony. Men who conducted their households upon lines of the strictest economy were sure to be watchful of public expenditures and resentful of the smallest exaction that was not supported by a public necessity and laid by lawful au-

thority.

Public assemblages of the body of the people, an indispensable incident of free government, were practically coincident with the landing of the colonists. They did not have their origin in any study of the rights of man or of theories of free government. They were spontane-ously grown out of situation as naturally as plowing and seeding. What was more natural than that these infant communities, finding themselves without recourse to the old sources of civil authorities and direction, and feeling the necessity of concurrence in and submission to some rules and order of living, should assemble the whole body of the people for deliberation, and give the sanction of the free concurrence of all, or the controlling weight of a majority, to rules that were to be binding on all. Especially was this natural to Englishmen. Guizot says: "When there scarcely remained traces of popular assemblages the remembrance of them—of the right of free men to deliberate and transact their business together-resided in the minds of men as a primitive tradition, and a thing which might come about again." The town meeting was adequate when the subjects to be dealt with were of a municipal char-

GROWTH OF LEGISLATURES. But as settlements were multiplying and common interests were developed, representative assemblies composed of chosen delegates from towns were needed, and the need produced them. Professor Seely says the colonial assemblies "were not formally instituted, but grew up by themselves, because it was in the nature of Englishmen to assemble." The threats of tribal attacks drew towns and even colonies into consultation and co-operation. The first union among the New England colo-nies, made in 1643, recited that, "Whereas, we live encompassed with people of several nations and strange languages, which may hereafter prove injurious to us or our posterity, and forasmuch as the natives have formerly committed sundry insolences and outrages upon several plantations of the English and have lately combined themselves against us * * * we therefore do conceive it our bounden duty, without delay, to enter into a present association amongst ourselves for mutual help and strengt: in all our future concernments."

They did not await the approval of the crown. Edward Winslow well said: we in America should forbear to unite for defense against a common enemy till we have leave from England, our throats might all be cut before the messenger would be half seas over." Nearness to the savage remoteness from England were both favoring conditions in the development of a hardy citizenship and of the great Republic. If our ancestors had found this continent unpeopled and the ocean passage had been what it is to-day, how different the story would have been. Necessity, rather than philosophy, was their instructor in The colonies could not know in time the pleasure of the crown, and so they pleased themselves, and the habit grew. In the absence of the anointed ruler a count of hands was the natural suggestion. Our ancestors in older England had possessed, in the "hundreds," shires and counties, some powers of local government. These had been largely assumed by the crown, but the tradition of them and the inherited adaptation to their use were in the minds and blood of their descendants. The compact of government made on the Mayflower is said to have grown out of the mutinous disposition of a few persons not of the Leyden Church, and probably servants. The pilgrims had embarked under a patent from the Virginia Company, and these ill-disposed persons insisted that if the proposed landing outside of the limits of that company was made they would be under no legal restraints. The emer-

gency was met by the "solemn covenant, whereby they combined "into a civil body politic for our (their) better ordering and preservation," "and by virtue hereof! they "we do and act, enact, constitute and frame such just and equal laws, ordinances, acts, constitutions and officers from time to time as shall be thought most meet and convenient for the general good of the colony, unto which we promise all due submission and obedience.

AN ORIGINAL COMPACT. Here was an exigency. If the colonists had been of Spain it would possibly have been resolved by the choice of a captain with arbitrary powers or by some bold spirit seizing the leadership, but they were Englishmen and Protestant Christians, and so the compact of government was democratic. Of the Mayflower compact Judge Story says: "It was, if not the first, at least the best authenticated case of an original social compact for the establishment of a nation which is to be found in the annals of the world." They did not announce any political maxims-as, "that civil government derives just powers from the consent of the governed" or that "all men are created equal"-but they applied them. The compact was introducd by the declaration that they were "loyal subjects of our dread sovereign lord, King James," and they at once applied for a charter from the crown. So far as they assumed general governmental power it was ad interim until the crown should act. But as to local government, the ordering of things that required a particular knowledge of the needs and changing condition of the community, assumption was never intermitted and local government was never wholly lost in the

A government by the English crown and Parliament was, as to local and municipal affairs, not only incongruous but impossible. Things affecting the personal security, health and comfort of the people must be committed in a large measure to local control. Local needs and conditions are so various that we have found it impossible for the government at Washington to legislate for the Territories. Some general limitations, some provisions in the nature of fundamental law have been made, but subject to these and to the power of Congress to annul any territorial law, a power seldom exercised, it has been necessary to give general legislative powers to legislatures chosen by the people in each Territory. When a civil government was given to Alaska the best Congress could do, in the absence of a sufficient population to organize a local Legislature, was to declare the laws of the State of Oregon should be the laws of Alaska. This system of local control we have also perpetuated in the States. Cities. towns, countles, townships, school and road districts have many important powers given to them, some being of a legislative character. No State Legislature could satisfactorily determine all these matters, though each locality had its representative in the body, and its sittings were within a half day's travel of the people to be affected.

BORN OF NECESSITY. These adjustments and subdivisions of the powers of government are not so much of convenience or philosophy as of necessity. Consider, then, how impossible it was that the king and Parliament could satisfactorily direct the local affairs of the colonies. Separated by thousands of miles-a six weeks' journey, full of discomfort and peril-no representation in the Parliament, conditions that had scarcely a resemblance to English life, needs born in a night and exigent as a savage war-cry, a king and a Parliament absorbed by European interests and intrigues, ignorant of American affairs and so selfish as to be unteachable and wholly unsympathetic-these were the conditions that, from the landing of the first colonists, were slowly, unconsciously, but inevitably, bringing to birth the great Republic. As well might Gloucester fishermen attempt to make laws for a Sierra mining camp as the English Parliament for an American colony. A local control of local affairs is primitive and natural. Government was begun on that basis. The family, the original unit of human association, made its own rules of living; so the progressive forms of association-the tribe. the village, the city, the state, the feder-ation-were evolved from dangers, ambitions or needs common to several families, tribes, villages, cities or states. The function of the State, whether single or federal, had to do with things of a general nature, of general concern to the families, or tribes, or States composing it, such as war, peace, diplomacy. The English habit of local government was derived from the

Teutonic invaders and conquerors. In Germany the community organization was called the "Mark," and the town meeting where the affairs of the "Mark" were discussed and decided was the "Markmoot." The conquest was so thorough that scarcely a trace of the Celtic inhabitants was left. The ground was made fallow for the unmixed planting of the civil system of the German conquerors. Names were changed, but the substance, the "Mark," became the "tun," or "township," and the local assembly the "tun-moot." These free and full assemblages of citizens chose the local officers and selected and sent four representatives to the Courts of the Hundred and the Shire. Mr. Fiske says: "In the four discreet men sent to speak for their townships in the old county assembly we have the germ of institutions that have opened into the House of Commons and into the legislatures of modern kingdoms

and republics. In the system of represen-tation thus inaugurated was the future of such gigantic political aggregations as the United States of America.

GOVERNMENT ORGANIZATION. The organization of our national government was possible only upon the basis of a reserved local control of local affairs, and the preservation of that system is essential to that popular content which is the only security for the preservation of Union. California and Maine could not be united under a government modeled under any other system. At the basis of this system is the palpable incongruity of including in the governing body those who have neither knowledge of nor direct interest in the matter to be determined. At another time I will speak of the complement of this truth—the exclusive control and direction of all general concerns by the national government. The one is as essential as the other. It is rather more incongruous and intolerable that general concerns affecting the whole body of the Republic should be controlled or unduly influenced by States or localities. If only such as are directly affected by the conclusions reached are to be admitted to the ballot and the conference, then all such must be admitted to a free and equal participation.

The colonists brought with them not only their English traditions and instincts, but they stoutly claimed their English citizenship, and the libertles and personal rights they would have possessed if they had remained in the old nome. Many of the charters expressly preserved these rights. The first charter of Virginia, granted by King James, in 1606, declared that all British subjects and their children should "have and enjoy all liberties, franchises and immunities within any of our other dominions, to all intents and purposes as if they had been abiding and born within this our realm of England or any other of our said

The charters of Connecticut, Georgia, Massachusetts, North and South Carolina and Rhode Island contained similar propositions. But these rights were not well defined at home. The English Constitution during the colonial period was not only unwritten, but undeveloped. The contest in the colonies was partly concurrent, and on similar lines with the struggle of the English people against kings who sought to attain absolute power. The rights of Englishmen, the powers of Parliaments, the limitations of kings were as yet to be defined and adjusted. fined and adjusted. The present magnificent English constitutional government was in growth, but it had not yet attained form and strength in its native soil, and was not ready for transplanting. And, besides all this, the widely different conditions prevailing in the colonies, as we have seen, required modifica-tion and adaptation of the laws at the least. Self-governing, prosperous, loyal English colonies now existed, the fruit of a defined and liberal home Constitution, and of the disastrous failure of the attempt to

enslave her greater colonies. But that were impossible in that generation. One most important principle had, after centuries of struggles, been established and set in the English Constitution, namely, that revenues were not to be levied at the king's plasure, but granted by a body more or less representative of the people. The representation was sometimes, as to many, theoretical rather than actual-of class rather than of the body of the people-but the principle that individual property could not be taken for the public use, except by vote of a body more or less representative of the taxpayer, had triumphed, and the invasions of it by the king were becoming

more and more perilous. DEGRADATION OF PARLIAMENT. There was a long period of English history that was characterized by successful aggressions on the part of the crown upon the rights of the people and the powers of the courts and of Parliament. Hume, speaking of the reign of James I, says: "The great complaisance, too, of Parliaments during so long a period had extremely degraded and obscured those assemblies, and as all instances of opposition to prerogatives must have been drawn from a remote age, they were unknown to a great many, and had the less authority even with those who were acquainted with them. These examples besides of liberty had commonly in ancient times been accompanied with such circumstances of violence, convulsion, civil war and disorder that they presented but a disagreeable idea to the inquisitive part of the people, and afforded small inducement to renew such dismal scenes by a great many, therefore, simple and unmixed was conceived to be the government of England, and those popular assemblies were supposed form only the ornament of the fabwithout being in any degree essential to its being and existence. Hume, 4498.) And in a note it is said: "I have not met with any English writer in that age who speaks of England as a limited monarchy, but as an absolute one, where the people have many privileges." (Hume, 4571.) This may be accepted as the view of the

king and as an approximately true description of kings as they were, but the great charters never ceased to be a part of the English Constitution. They were dormant, but unrevoked. Kings had trampled them under foot, but in so doing had only bedded the seeds of liberty in a prepared soil. The revolution of 1640, resulting in the execution of Charles I and in the establishment of the commonwealth under Cromwell, the restoration, the renewal of the struggle under Charles II and James II, the deposition of the latter by a Parliament assembled without the king's writ, their settlement on the throne under a compact in the nature of a bill of rights, the increasing power of the House of Commons, the substitution of annual for life grants of revenue to the crown, making an annual Parliament necessary, all these episodes in English history and in human progress were enacted before the interested vision of the English colonists in America, and were highly instructive and suggestive. Out of these struggles and out of the reformation had come a light of liberty, dignity and equality of men-the state for man, and not man for the state-the universal fatherhood of God, and its corollary, the universal brotherhood of man, liberty of conscience and of speech. All these great themes had found impassioned expression. What wonder that the colonists began very early to ask if the king may not lay a charge on Englishmen at home by an order in council but only by the free votes of a representative assembly, why should he do so on Englishmen who have for the glory of God and of England braved the perils of the sea and of the savage? And that further and more searching question, by what right does a Parliament in which we have no representation assume sovereign legislative power over us? The earlier charters appear to have been framed without any adequate conception of the commercial and political importance which the colonies were to attain, and for a time the king was lax in his supervision, and not careful to maintain prerogatives that seemed to involve burdens rather than

Hazing to Be a Criminal Offense. ALBANY, N. Y., March 8.-The Senate committee on judiciary, without a dissent-ing vote, agreed, this afternoon, to report Senator Coggeshell's bill defining hazing as a criminal offense. The bill was introduced just after the Cornell affair, and Senator Coggeshell, in asking that the bill be reported, said: "If there is any one thing which should hasten this bill through it is the fact that the authorities, the people and the college officials at Ithaca seem disposed to hush up the late outrage by Cornell students and let the culprits go. The ringleaders in that affair are no less murderers and no better creatures than the men who shot down Republicans at the city polls."

benefits to the crown treasury.

Charged with Attempted Bribery. LIMA, O., March 8 .- A startling turn was taken in the prosecution of ex-Cashier Langan, of the defunct Lima National Bank, when President C. B. Faurot, ex-Sheriff Hoagland and expert accountant Eugene Hall were arrested for attempting to bribe the jury in the Langan case. Faurot was recently arrested in Chicago for defrauding an oil tank builder, but was discharged.

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COUGHLIN ACQUITTED

Found Not Guilty of Complicity in the Murder of Dr. Cronin.

End of One of the Most Sensational and Longest Trials in the Criminal Annals of Chicago.

JURY OUT BUT FOUR HOURS

The Defendant Congratulated by the Court-Room Crowd.

His Wife and Father Almost Overcome with Joy-Daniel Himself One of the Happiest Men on Earth.

CHICAGO, March 8.-Daniel Coughlin is a free man to-night. His second trial on the charge of being one of the conspirators in the death of Dr. Cronin resulted in acquittal. This morning Judge Tuthill charged the jury, and at 4:35 a verdict was returned. When the clerk read out the words, "We, the jury, find the defendant, Daniel Coughlin, not guilty," a warm flush went over the prisoner's face, which, before, had been of deadly white. He half rose in his chair, and was the next instant pushed back by attorney David, the law partner of Mr. Donahoe, who has so stoutly defended him throughout the long trial. Then it was a push that almost swept the happy man off his feet. Newspaper men, old-time friends of the prisoner before his troubles, came upon him in a body and nearly wrung his hand off.

"It's all right, boys; all right," gasped Coughlin, as he reached for four or five hands at once. "It's all right, boys; I won't forget you. You treated me all

right." Then the prisoner worked his way up to the jury box and shook hands with as many of the men as he could reach, but the crowd was too much for him, and yelling and cheering to show its delight, it pushed him away from the box. He gave up the effort to greet the men who have given him freedom, and, in company with the bailiffs, started to leave the room, passing behind Judge Tuthill's chair. Just as he was directly behind the Judge a cry of "Make way there; open up a passage; make way," was heard, and two stalwart bailiffs pushed through the crowd, and close behind them, her hat awry, her vell half up, and gasping with sobs that choked her, came Mrs. Coughlin. Dan was striding to lib-

erty as though he wore seven-league boots. "Dan, come back, here's your wife," called fifty voices, and Coughlin retraced his steps. Just at the foot of the little flight of stairs leading up to the judge's rostrum he met his wife. The woman gave an incoherent cry, her arms went up, fastened themselves around her husband's neck, and then she gave way utterly. She only said: "Dan, oh, Dan," but nowhere, not even in Daniel Coughlin's heart, was such joy as in the bosom of the little woman who clasped tight against her husband's heart and felt him her's again. Cougnlin bent his big blonde head until his mustache swept her cheek, and then the two rocked to and fro until the woman was able to stiffe her emotion, and then she was led away by Coughlin's father, who was happy enough to dance a jig, but gave his entire attention to his hat, which he kept putting on and taking off with marvelous rapidity. In a few minutes he, with Mrs. Coughlin, who, by this time, was radiant, left the room. Attorney Daniel Donahoe, who had, with ex-Judge Wing, defended the prisoner, was the recipient of a shower of congratulations from friends and fellow-attorneys. "It is just as I expected," he said. "The verdict could not have been otherwise. I will acknowledge that it was an agreeable surprise to me, however, to get a verdict this afternoon. I would not have been surprised if the jurors had remained out eighteen or twenty hours. But it is just as well that they decided when they did, for they could have reached no other conclusion

f they had been out a week. Neither Assistant Prosecuting Attorney Bottum nor Associate Prosecutor Scanlan would express an opinion as to the verdict. 'It was a surprise," they both asserted, but further than that they declined to talk to interviewers. An attempt to interview the jury in the court room was not productive of good results. "I can't tell a thing," said juror

Sharp, pleasantly. "We agreed not to talk or give any names, and I cannot say any-"That's right," broke in foreman Holsman. "We have agreed we would not say a word to the papers. It would not be a fair thing. I will say one thing, though, said the foreman, with a broad grin. am just as happy to get away from this thing as Daniel Coughlin ever was." "Tnat's what," said Sharp, emphatically,

The jury was at once taken into the office of the county clerk, where warrants for their pay were given them, and the Cronin trial was out of court and into history for good.

THE JUDGE'S CHARGE And Scenes and Incidents in the

Court Room During the Day. CHICAGO, March 8.-The court-room was crowded this morning when Judge Tuthill charged the Coughlin jury. All the attorneys and spectators listened with eagerness. Apparently the least concerned person was the prisoner at the bar. The big ex-detective sat in his usual seat, his overcoat thrown over his shoulders and his elbow resting on a table. He was a trifle paler than usual and the anxious lines upon his face were a trifle more deeply drawn, but he showed no other evidence of the anxiety he must have felt as his trial reached its climax. Beyond the table at which the prisoner sat, shielded from the curious gaze of the spectators, was a little group whose evidences of anxiety were more apparent than elsewhere in the court-room. Eagerly leaning forward in her chair, listening to the judge's words with a painful intentness, sat the sweet-faced, sad-eyed little woman who, throughout the weary weeks of the tedious trial had daily visited the court-room, the prisoner's wife. Now and then she turned her gaze anxiously upon her husband and then turning again towards the court she resumed her attitude of attention. With Mrs. Coughlin were her two children, the little girl Annie and fair-haired little boy Parnell. Before the opening of the court the children had sat on their father's knee stroking his face and prattling of childish doings, but now they sat quietly and awe struck, their mother's anxiety and the solemnity of the scene charming them into silence. Back of Mrs. Coughlin's chair, his grey hair mingling with the brown curls of the little girl who sat on his lap, the aged father of the prisoner listened to the delivery of the charge. He, too, had been a constant attendant at the trial and had aged visibly during the progress of the case. Judge Tutnill's instructions were quite long, filling nearly twenty-five pages of

closely type-written pages. They were, for the most part, of a general nature, ivery few of the specific directions handed in by the counsel being used. The court instructed the jury that it was not incumbent upon the defense to introduce any evidence tending to prove the innocence of Burke, Cooney or O'Sullivan, jointly indicted with Coughlin, on the charge of conspiracy, and that the absence of such evidence must not be construed as evidence of their guilt, and inference thereby of the guilt of Coughlin. He reminded them that the latter was alone on trial, and that evidence touching his innocence or guilt was alone to be considered in the formation of a

"The officers of the court will come forward and take charge of the jury," said

Judge Tuthill, as he closed, and four bailiffs raised their hands and took the oath. Then the twelve men filed out and the court gave orders that the court-room be cleared. The jury was as follows: George P. Sharp, Oscar E. Brooks, C. Holsman, Frank B. Lusk, O. S. Weinberger, Frederick J. Lane, Oscar Benson, Alfred F. Woodward, Michael Conion, Hiram Wadleigh, Clarke Bruce, John F. Larson, After the court-room had been cleared the prisoner was room had been cleared the prisoner was taken back to jail and his family left the

REVIEW OF THE CASE.

The Crime Charged Against Coughlin

and the Testimony Submitted. The Coughlin trial has been one of the most noteworthy in the criminal annals of the country. Like the former Cronin trial it has been replete with sensations and of remarkable duration. Daniel Coughlin, an ex-city detective, was charged with complicity in the murder of Dr. P. H. Cronin, a prominent Irish physician. Cronin was well known in one faction of the Clan-na-Gael, and it was to the members of that faction that his murder was charged. At the former trial Coughlin, Martin Burke and Patrick O'Sullivan were convicted of the murder and sentenced to imprisonment. The two latter died in prison and the present defendant secured a new trial. Dr. Cronin disappeared on the evening of May 4, 1889. After a protracted search his body, mutilated and decomposed, was found in a catch-basin in the northern part of the city. In the same section of the city stands the little Carlson cottage, where the theory of the prosecution places the murder.

In the present trial, after five weeks work, the jury was accepted on Dec. 5 last. After the jury was completed several sensations were sprung in the shape of charges against jurymen, and three men who had been accepted were excused from service. On Dec. 11 the case was opened. One of the most important witnesses to appear for the prosecution was Mrs. Andrew Foy, wife of a bricklayer. Mrs. Foy told of being present at numerous conferences between the defendant and her husband, claiming to have heard numerous conversations between them and other men which pointed to a con-spiracy to murder Dr. Cronin. Her story was sensational in the extreme, but the defense introduced testimony to show that Mrs. Foy had written to a former attorney for the defense threatening to tell a damaging story unless she was liberally re-warded. Her sanity also was called in question, and her intense hatred for her husband, to whom her testimony was most damaging, was shown. Her evidence was perhaps the strongest of any presented by the State, as she told a complete story of the killing. Her testimony was that Mar-tin Burke, now dead, and the missing Cooney did the actual killing while iceman O'Sullivan stood in guarded Coughlin, she said, arrived at the Carlson cottage shortly after the deed was done. In attempted corroboration of Mrs. Foy's story Mrs. Hoertel testified that she saw Foy and Coughlin together on May 12, 1889, near the Carlson cottage. The defense, however, introduced testimony to show that on the day in question Mrs. Hoertel was sadly intoxicated.

A new and sensational witness was introduced by the State in the person of Frank Bardeen, an electrical engineer. In May, 1889, he was employed at the Edgewater electric light plant, past which the wagon bearing the remains of Dr. Cronin was assumed by the prosecution to have gone. Bardeen said that about 2 o'clock on the morning of May 4 he heard a wagon passing. He turned on an electric searchlight which was fixed above the door and, in the glare, he said he saw a wagon in which was a large chest or trunk. Behind the wagon walked two men, he claimed, one of whom he identified as Coughlin. Bardeen's testimony was savagely attacked by the defense. It was shown that no train ran at the hour he said he left Edgewater the morning after he saw the wagon, and evidence was introduced to show that no moon was visible on the night in question, although he swore positively he first saw the wagon and men by moonlight. Much medical testimony was introduced by the defense to show that Dr. Cronin's death might have resulted from disease and not from the wounds found on his body, but its principal effort was directed towards establishing an alibi with three witnesses sworn to having seen Coughlin during the evening when he was supposed to have been engaged in the killing, and their testimony was unshaken.

SOCIETY MEETINGS.

MASONIC-Keystone Chapter, No. 6, R. A. M. Special meeting in Masonic Temple, this (Friday) evening, at 7 o'clock sharp, for work in the Past and M. E. M. de-grees. A. R. WHITE, M. E. H. P. JACOB W. SMITH, Secretary.

WANTED-AGENTS. WANTED-Salesmen or agents. Good pay selling pants to order, \$3; suits, \$15. HUN-TER TAILORING CO., Cincinnati O. WANTED-Agents make big money selling the best kitchen utensil in the market. Needed in every household. territory and terms to WM. WACHS BRO. & SONS, Covington, Ky.

WANTED-MISCELLANDOUS.

WANTED-A situation as coachman, or clerk in grocery. Experience. Aged twenty. References. Address GEORGE E. CHRIS-TY, Rigdon, Ind., Box No. 19.

WANTED-Patents obtained; no attorney's fee until after patent is obtained. Mechanical drawings made. JOHN S. THUR-MAN, Mechanical Engineer, Cordova Building, 25 West Washington street. WANTED-Women and Girls. Beware of frauds claiming to cut strictly seamless garments, for they are copyrighted. Come and learn it from the inventors, Prof. and Madame O. H. De Lamorton, 78 Virginia avenue, Indianapolis, Ind. State manag-

FINANCIAL.

ers and county agents wanted.

LOANS-Money on mortgages. C. F. SAYLES, 75 East Market street. LOANS-Money to loan. CLIFFORD ARRICK, Room 32, Journal Building. MONEY TO L'DAN-6 per cent. HORACE M'KAY, Room 11, Talbott & New's Block. LOANS-Sums of \$500 and over.

C. E. COFFIN & CO., 90 East Market FINANCIAL-Money to loan on 3rst mortgage. Favorable terms. JNO. S. SPANN & CO., 86 East Market.

MONEY TO LOAN-On farms at the lowest market rate; privileges for payment before due. We also buy municipal bonds. THOS. C. DAY & CO., 72 East Market street, Indianapolis.

FOR SALE. ···· FOR SALE-\$5,000 Consumers' Gas Trust stock at a very low price; \$20,000 Indian-apolis Electric Light and Power Com-

pany stock; \$3,500 State Bank of Indiana WANTED TO PURCHASE Capital National Bank stock; Belt railroad and Stockyards stock. Buy and sell New York stocks for each at lowest commission, NEWTON TODD, 7 Ingalls

ANNOUNCEMENTS.

ANNOUNCEMENT-There will be a meeting to elect nine directors for the management of the Indianapolis Asylum for Friendless Colored Children on the 14th of the present month, at 7:30 p. m., at Friends' Church, corner of Delaware and St. Clair streets, Indianapolis, Ind. The incorporators and members of the association will take notice.

FOR RENT.

····· FOR RENT-Mrs. Haughey's handsome residence property north of city; large house, hardwood finish, fine plumbing, natural gas, electric lights, greenhouse, garden, fruit and shade; large, beautiful grounds; electric car line, C. F. SAYLES, 771/2 East Market.

ASTROLOGY.

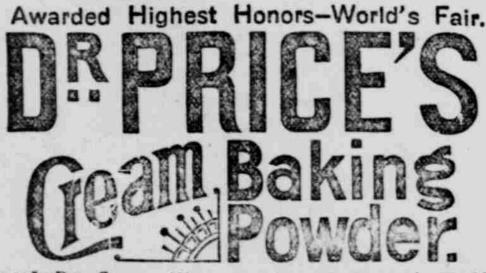
ASTROLOGY-Mrs. Dr. Ellis, Room Ryan's Block, tells past, present and future, gives information on all subjects by the planets.

NOTICE. NOTICE-Given away, 10,000 yards of border. One room only to each customer. REED & CO., 193 West Washington street, Indianapolis, Ind.

WE are now showing our '94 Biey-cles and placing agencies in

every county in the State. Dealers out-

side of Indianapolis are invited to write us for terms and prices. HAY & WILLITS. Wholesale and Retail Cycle Dealers 70 NORTH PENNSYLVANIA ST., Indianapolis, Ind.



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